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A

NARRATIVE

OF THE

PROCEEDINGS OF THE CORPORATION

OF

HARVARD COLLEGE,

RELATIVE TO THE LATE

Disorders

IN THAT SEMINARY.

CAMBRIDGE,

PRINTED BY W. HILLIARD.

.....

APRIL.....1807.

A

NARRATIVE.

THE Corporation, at a meeting holden in Boston on Friday, the twentieth day of March last, received a complaint from the three junior classes of the Students against their commons; and the President, to whom until then no complaint of that kind had been made, was requested to attend to the subject, and to see that all reasonable relief was granted.

The President of the College afterward summoned the Fellows of the Corporation to meet at his house in Cambridge on Friday, the third day of April instant, and authorised the several classes to meet, and choose Committees to lay before the Corporation their complaints against their commons.

When the Corporation had met agreeably to the summons, the Committees of the several classes were called in, and heard with attention on the subject of their complaint, and every investigation was made, that could lead to a discovery of the truth. The Corporation then inquired of the Steward, Tutors, and other Officers, what was the real state of the commons, what defects had existed, and whether the causes of those defects, if any,

e accidental or wilful, or whether they arose from gligence. After a full inquiry, made with the best intentions to promote the accommodation of the Students, and after the necessary directions on the subject of complaint had been given, and measures to prevent future causes of complaint, as far as they could be prevented, contemplated, the Corporation proceeded to inquire into the state of the College, the temper and disposition of the Students, and their late conduct, so far as it related to their submission to the Laws. The result of this inquiry was, that the President, immediately after the meeting of the Corporation holden at Boston in March, proceeded to execute the trust reposed in him, by acquiring the necessary information to ascertain what grievances in fact existed, and the best methods of redress. While in the course of his inquiry he was interrupted, in the succeeding week, by illegal and very reprehensible disturbances, that took place in the Hall, and which were not connected ostensibly with the state of the commons.

An attention to these disturbances and to the consequences of them engaged the Immediate Government during a great part of the week. At one time a Student was admonished; at another, two; at a third time three were admonished, and three suspended; and afterward another Student was suspended for a gross insult, offered to that part of the Government, which reside within the College walls, in their presence. The attention of the Immediate Government was farther arrested by the solicitations of the Students for the pardon of this last offender, preferred by some of the Senior Sophisters, as their agents. Upon the agents engaging for the Students, that, if this offender were pardoned, there should be no more disorders in the College, the pardon was

on Saturday granted. It afterward appeared, that a combination of a very large number of the Students had been formed, previous to the application for a pardon, for the purpose of escorting the offender in triumph from the College ; and it was said, and with great probability of truth, that Music for the escort was proposed, if not engaged. This act of lenity, thus obtained from the Government, was ungratefully and without any foundation represented by some of the Students, as a triumph over the Immediate Government, and a mark of imbecility.

During the week, thus anxiously employed by the President, some of the Committee, who presented the petition to the Corporation in Boston, called twice in one day on the President, with an intention, as they have since declared, to learn of him the fate of that petition ; but they found him engaged in a meeting of the Immediate Government ; and he, having no intimation of their intention in waiting on him, directed that they should call again. One of that Committee thought proper, as he has since declared, to call on the President for the same purpose, on Monday the thirtieth of March, about the time of breakfast. The President being at breakfast, and uninformed of the purpose for which he called, did not see him.

Notwithstanding an express and well known prohibition, that there should be no meeting of any class, without the permission of the President, and a law, with severe penalties, against combinations among the Students for unlawful purposes ; and also a positive law, for the orderly and decent behaviour of the Students at commons, prohibiting the leaving of the Hall, without license, before thanks were returned ; the Students, who had been induced to believe, as it is supposed, that their petition was neglected, openly, and in defi-

ice of the laws, caused the bell to ring for the meeting of the classes, and, when assembled, organised themselves, and resolved on a combination to enter the Hall at dinner time, and, if the Senior Class, who had not before made any complaint of their commons to the Corporation, disapproved of the dinner, and took the lead, they would all leave the Hall without license, and without waiting for the regular dismission of the tables. This appeared to be the form of the combination ; but in fact a great number of the Students had, in the forenoon, engaged their dinners at some houses in town.

In pursuance of this combination, the Students attended in the Hall, at the usual time of dinner, and, after the blessing was asked, turned on their heels, and, preceded by the Senior Class, they all left the room, except the waiters, and went to their dinners in town. At evening commons none attended ; and the President, agreeably to a vote of the Immediate Government, to prevent any unnecessary waste of provisions, put them all out of commons the next morning, and gave them permission to diet at proper houses in town until farther orders.

The first question, that engaged the attention of the Corporation was, whether this extraordinary combination, publicly entered into, and deliberately executed, should be passed over in silence.

On this question there could be no hesitation. To pass it by unnoticed would prostrate all authority of the laws, and would render the College a scene of confusion and disorder, at the pleasure or caprice of the Students. This state of things would make that Seminary worse than useless ; it would be a public nuisance. When individual mischief has been perpetrated, to detect and

punish it is not often attended with inconvenience, and the interests of literature are not materially affected; but unlawful combinations strike at the existence of any College Government. These combinations are formed to give vigor to illegal opposition, by mutual cooperation, and to secure impunity to the principal agents, by the numbers concerned.

Another ill effect of combination is the destroying of all personal independence of conduct of those, whose dispositions and habits are, in general, good and regular. They are prevented from acting according to their own discretion and judgment, and compelled to submit to the determination of the majority, or rather to the will of a few, who direct the majority. In consequence of this effect, a government of the Students is erected against the regular Government of the College. When the Laws require obedience, the combination forbids it. If the Student disobey, he must submit to public censure. If he have sufficient firmness and independence to obey, the combination punish him, by making him the object of their scorn and contempt. From this general view of the subject, the Corporation were determined to adopt such measures, as would, most probably, prevent future combinations, and, at the same time, expose the Students to the least inconvenience and suffering.

The next consideration was, what were the best measures to be adopted in the present circumstances.

If the Students had left the Hall from any sudden disgust or resentment, and not from any previous combination, their conduct would have been submitted to the Immediate Government for the usual inquiry and censure. The laws prohibit all meetings of any class, but with the special license of the President, on pain of being con-

idered as unlawful combinations, and of being, as such, punished. A combination, as defined by the College Laws, is an agreement to do any unlawful act, or to forbear a compliance with any injunction from lawful authority in the College. The entering into such combination, or the perpetration of any enormity, disorder, or act of disobedience in consequence of it, is punishable by a fine, or by the degradation, suspension, rustication, or expulsion of the offenders, or of as many of them according to the circumstances of their offences, as shall be judged necessary for the preservation of good order in the Society. The offence under the consideration of the Corporation was from its circumstances of a complicated nature. The meeting of the classes was without the license of the President, and therefore to be punished as a combination. A combination was in fact formed to do an act, expressly prohibited by the College Laws ; and in execution of the confederacy an act of disobedience and disorder, prohibited by law, had been deliberately perpetrated.

The Immediate Government might have imposed a fine on all the offenders. But this measure would have had no tendency to procure a reformation. Pecuniary penalties, like admonition, when applied to all, are not viewed as punishments, but as a subject of derision. And the only effect, that would have been produced, would have been raising a revenue for the College by assessments on the purses of parents. To degrade the offenders, when all were to be degraded, was impossible. The least punishment, that remained for the Immediate Government to inflict, was suspension.

The right to select some of the offenders, as the objects of punishment to reform the whole, is sometimes

an excellent remedy, when it can be exercised on certai principles. When the circumstances of the combinatio are known; when the authors or advisers of the offence are discovered; when the different shades of guilt can be distinguished, a selection may be wisely and usefully made. But, in the present case, the confederation had been so formed and executed, as to furnish no rules of discrimination. The authors or instigators of the offence were not known. Those, who called the illegal meeting, or the offender, who rang the bell, were not discovered. There was no evidence, who was the moderator or chairman; who harangued the assembly, or who proposed the matter or form of the association. To the Immediate Government the offenders therefore appeared equally guilty. Under these circumstances the selection must have been made by lot, or upon uncertain conjectures, founded altogether on general character. If on conjecture, the choice might have been viewed as the effect of partiality, or resentment, and the unhappy subjects of it would probably have been escorted from College with marks of triumph and insult. If the selection had been by lot, the more innocent and worthy of the Students might have been the sufferers. And whichever method should be adopted, it was manifest, that, instead of procuring a reformation, it would have occasioned a more violent opposition to Government, by exciting the sympathies or resentments of the fortunate adventurers in this lottery of punishments. If the punishment of suspension were to be inflicted, it must therefore have been inflicted on all. This measure would probably have effected the designed reformation, and it was the mildest and only reasonable measure, that remained under the existing laws. But recourse to this measure, however justifia-

e by the extraordinary conduct of the Students, would have been very painful to the Corporation. That body were induced to believe, that the late combinations had proceeded, in the greater part of those concerned, from their youth, inexperience, and want of consideration; or from the arts or influence of a few disorganizing spirits among them; and not from a general temper, hostile to the Government of the College, and to the rules of decency and decorum.

Under these impressions in favor of the Students, the Corperation wished to devise some method, by which the operation of the existing laws might be suspended, the authority of the College restored, future combinations prevented, and the Students protected from the penalties, to which they had made themselves obnoxious. It was also the hope and expectation of the Corporation, that, if time for deliberation should begiven to the Students, all among them, who possessed ingenuous dispositions, and who would reflect on their conduct, would be satisfied, that it had been improper; that, if thus satisfied, they would feel a regret for it; and feeling this regret, that they would cheerfully express it, and their determination to offend no more in this manner. And it was the opinion of the Corporation, that all the Students of this description, who would give these assurances, deserved every lenient attention from the Government, and might be excused from the penalties of the existing laws, and, at the same time, a general reformation would be effected. The Corporation were also satisfied, that if their favorable impressions were ill-founded, and if a general spirit of licentious opposition prevailed among the Students, leading them to justify their recent violation of the laws, and should refuse to give any assurances of future sub-

mission to them, the interest of the College require, that they should be removed from it, and no longer remain members of a society, whose laws they claimed a right to resist. And with respect to these unfortunate young men, it was not proposed to send them from College, with the stigma of public censure attached to them, but only to dissolve their connexion with the Society, whose laws they had violated, and to return them to their parents, where, it might be presumed, that methods for the future regulation of their conduct would be adopted, to which the College Government, from its nature, was inadequate.

Influenced by these humane and friendly motives toward the Students, the Corporation agreed to a measure, by which the operation of the existing laws against unlawful combinations was arrested. After time was given to the Students for deliberation, they were called on to certify to the President, in language, which must accord with the reason of every well informed mind, and which could not injure the sensibilities of any ingenuous temper, their admission of the impropriety of their conduct in leaving the Hall, or in aiding in, or advising to that conduct, their regret for it, and their determination to offend no more in this manner.

But if the Corporation should be mistaken in the temper or motives of the Students, and the Certificate should be refused, the Immediate Government were not directed then to proceed in the execution of the law against unlawful combinations, by sending the refractory from College, under the stigma of suspension or rustication, but they were merely to dissolve their connexion with the College, and return them to their parents, by whom their future interest would be best consulted.

To strangers, unacquainted with the recent dangerous combinations of the Students, and who have read only the form of the Certificate, prepared for those, who in fact, left the Hall, pursuant to the previous combination, it might appear, that the only offence, animadverted on by the Corporation, was the comparatively trifling irregularity of leaving the Hall, without license, before thanks were given. But the Students are in a quite different situation. To them have the votes of the Corporation been communicated. And although it was not intended, that the Public Records of the College should explicitly contain all the aggravations, attending the illegal and disorderly conduct of the Students ; yet they, who have been actors in the several scenes, well know the nature of the offence they have committed. Neither can they be mistaken in the design of the Corporation ; for their vote embraces not only those, who actually left the Hall, but all those, who aided in, or advised to that disorder, which necessarily comprehends all, who were parties to the combination, although absent at the time of execution. Nor is it to be presumed, that any Student has been admitted into the College, such a child in understanding, as to believe, that the Corporation could pass over the unlawful combination of the Students, which is an offence, that, if tolerated, would destroy the Government of the College, and which exposes the offender even to expulsion, and would fix their attention only on a mere indecency of conduct, which, when not the effect of combination, exposes the offender to the penalty of a dollar.

The Corporation having thus anxiously employed the day in providing for the accommodation, improvement, and good government of the Students, after

passing the several votes annexed, excepting the last dissolved their meeting, and devolved on the Immediate Government the indispensable duty of restoring order and submission to the Laws.

The President, the next morning, after prayers, communicated to the Students the votes of the Corporation, but when reading the same he was interrupted for a time by the rude shuffling of feet. In the forenoon of the same day the classes again met at the ringing of the bell, without leave from the President, for the purpose of forming new combinations of resistance. When dispersed by the Tutors they entered into a written combination to prevent any Student from making the Certificate, proposed by the Corporation. On losing this paper another written engagement was made for the same purpose. And in fact an imperium in imperio was erected by the Students to punish by their scorn and contempt any Student, who had sufficient reason to see his error, and resolution enough to acknowledge it, by signing the required Certificate. This new government was pleased to permit some Students to subscribe, if directed by their parents or guardians, without incurring the penalty of the public resentment.

After the expiration of time, which had been allowed to the Students for reflection, and which had been unhappily employed by some to stimulate them to a persevering opposition to the College Government, seventy four were found to have subscribed the requisite Certificate. Forty five seemed not to have been implicated in the combination. There remained ninety nine, who had not given the assurances of future submission to the laws, required by the

Corporation. Among these twenty two, and probably a few more, will appear, on farther inquiry to have been unconnected with the original combination.

The Corporation again met on Monday, the 13th of April instant, when it appeared, that applications had been made to subscribe the Certificate after the expiration of the limited time. Sensible of the effect of terror on the minds of some of the Students, produced by the recent and violent combinations, and also of the advantages those, who lived in the vicinity, had derived from the advice of their friends, and which could not be obtained by others, the Corporation authorised the President to allow any Student to subscribe the Certificate before his connexion with the College was dissolved. But it was absolutely necessary to make a marked distinction between those, who subscribed within the time limited, and those who obstinately delayed to subscribe. This indulgence was therefore granted on the condition, that the application for liberty to subscribe should be made to the President in writing, expressing the regret of the applicant, that he did not subscribe within the limited time. And farther, as it might be necessary to animadvert on the principal agents in producing the late violent combinations, consequent on the communication of the votes of the Corporation to the Students, it was provided, that the subscription, thus indulged, should not be considered as precluding the Immediate Government from inquiring into the offences, committed since that communication, so far as should be necessary to ascertain and punish the principal agents. The contents of the vote, passed for this purpose, were made known by the President to the Students, and it is the

last of the votes annexed. Those Students, who sh finally persevere in justifying their resistance to t laws, or who shall persist in refusing to give the ne cessary assurances of their determination to submit to them, will have their connexion with the College dissolved, and a narrative of the causes, leading to this measure, will be transmitted to their parents or guardians. The circumstances of their leaving College will then be more favorable than if the existing laws against combinations had been executed. For the Immediate Government would have been obliged to remove them from College by suspensions, rustications, or expulsions; or the authority of the College would have been prostrated in the dust, and no man would have submitted to be called a Governor of that Seminary, who would not be meanly willing to submit to the contempt of the Students. The Corporation, believing that many of the Students were engaged in the late combination through inexperience and a want of consideration, and not from a temper, hostile to the Government, are satisfied, that the present fermentation will eventually purify the College from disorder, turbulence, and licentiousness, and in a few days restore to the Immediate Government a reasonable and permanent authority over the Students. The Corporation will then be relieved from the painful employment, imposed on them, and there will remain the delightful task of consulting the reasonable accommodation of the Students, and of watching over their literary, moral, and religious improvement, that they may leave the University with merited honors, be ornaments to society, and blessings to their country.

This brief narrative, drawn up by order of the Corporation, is, together with their votes, respectfully submitted to the consideration of the Honorable and Reverend the Board of Overseers of Harvard College.

By order of the Corporation,

SAMUEL WEBBER, *President.*

April 16, 1807.

At a Meeting of the President and Fellows of Harvard College, April 3, 1807.

WHEREAS the Students of the College are now out of commons in consequence of their extraordinary and indecent behaviour in leaving the Hall on Monday last; and it appearing to the Corporation necessary, that they again attend commons in an orderly, peaceable manner, it is therefore

Voted, that the President be requested to direct the Students to attend commons on Sunday morning next, and until farther order. And it is farther,

Voted, that it appears to the Corporation, that the conduct of the Students in leaving the Hall on that day at the time of dinner was disorderly, indecent, an insult to the authority of the College, and a violation of the laws, made for the preservation of order and decorum, which ought not to be passed over in silence. And it is farther

Voted, that it appears to the Corporation, that any Student, guilty of such disorderly behaviour, and who can deliberately approve of it, and manifest a continued disposition to disregard the laws of the College, and its Immediate Government, is no longer worthy of retaining his connexion as a Student of the College.

The Corporation in consideration of the youth of the Students, and hoping, that their late rash and illegal conduct is rather owing to a want of experience and reflection, than to malignity of temper, or to a spirit of defiance to the laws, are disposed to give them an opportunity to certify in writing to the President, as he shall direct, their admission of the impropriety of their conduct, their regret for it, and their determination to offend no more in this manner; it is therefore

Voted, that if any Student, who left the Hall at the time of dinner in the disorderly manner aforesaid, or who was aiding in or advising thereto, shall neglect or refuse to give the President a Certificate of the purport aforesaid for the space of seven days after he shall be notified of these votes, the Immediate Government of the College are requested to dissolve his connexion with it, and so send him back to his Father or Guardian for his

future government, as manifesting a disposition, hostile to good order, and the necessary institutions of the College.

Attest, SAMUEL WEBBER, *President.*

At a Meeting of the President and Fellows of Harvard College, April 13, 1807.

WHEREAS it appears, that several Students, who were implicated in the offence, referred to in the votes of the Corporation of the 3d instant, have not signed the Certificate therein prescribed, and since the expiration of the time, limited by the Corporation, applications have been made to the President for leave to sign the same;

Voted, that the President be authorized to permit any Student to sign said Certificate previous to the dissolution of his connexion with the University by the Immediate Government, who shall make a written application for that purpose, and shall therein express his regret for not having signed the same within the time, limited by the votes aforesaid.

Provided, that the authority, above given to the President, shall not be understood as precluding the Immediate Government from inquiring into any offences of those Students, who did not sign said Certificate within the time first limited, but who may sign the same pursuant to this vote, which may have been committed since the communication to the Students of the votes of the 3d instant if the Immediate Government should think such an inquiry necessary for the punishment of the principals, concerned in organizing and promoting the recent combinations, formed to engage a general opposition of the Students to the votes of the Corporation.

Attest, SAMUEL WEBBER, *President.*

Form of the required Certificate.

HARVARD UNIVERSITY, APRIL 1807.

WE, the Subscribers, Students of Harvard College, who went out of the Hall at the time of dinner on Monday, the thirtieth day of March last, contrary to the laws of the College, made for the preservation of order and decorum, do admit, that our con-

duct in so doing was improper, that we do regret it, and tha we are determined to offend no more in this manner.

N. B. The form of the Certificate, required of aiders or advisers, was the same, excepting that the words " aided or advised fellow Students to go" were inserted instead of the word " went."

At a meeting of the Overseers of Harvard College, by adjournment, in the Council Chamber in Boston, April 16, 1807.

AFTER a full and satisfactory inquiry into the disorders, which have lately taken place in the University, and the expediency of the measures, which have been adopted by the Corporation to put an end to them,

Voted unanimously, that this Board do concur with the Corporation in the votes, passed by that Body on the 3d and on the 13th of this instant, relating to the said disorders.

Attest, JOHN LATHROP, *Secretary.*